

Martha G. Bronitsky
Chapter 13 Standing Trustee
Po Box 5004
Hayward, CA 94540
(510) 266 - 5580

Trustee for Debtor(s)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re

Rhommel D Okialda
Rowena L Okialda

Chapter 13 Case No. 18-42961-WJL13

debtor(s)

**Trustee's Motion to Dismiss Chapter 13 Case for Material Default; Declaration;
and Notice and Opportunity to Object**

TO DEBTOR(S) AND DEBTOR(S)' ATTORNEY OF RECORD:

Martha G. Bronitsky, Chapter 13 Standing Trustee, files this Motion to Dismiss, pursuant to 11 U.S.C. Section 1307(c)(6) upon the grounds that the debtor(s) is in material default of a term of the confirmed plan for the following reasons:

1. Failure to comply with section 7.02(c) of the confirmed plan, by failing to file quarterly declaration by JULY 20 with proof of APRIL - JUNE 2019 mortgage payments.

TO AVOID DISMISSAL

Within 21 days of this notice, YOU MUST resolve the issue or file an opposition/request for hearing detailing why the case should not be dismissed stating specific actions you have taken or will take to resolve the issue.

You should contact your attorney immediately to be advised of your legal options.

If you do not timely take action, YOUR CASE MAY BE DISMISSED WITHOUT FURTHER NOTICE OR HEARING.

1 PURSUANT TO LOCAL BANKRUPTCY RULE 9014-1(b)(3)(A) NOTICE IS HEREBY GIVEN:

2 Any objection to the requested relief, or a request for hearing on the matter, must be filed and served upon
3 the initiating party with 21 days of the mailing of notice; any objection or request for hearing must be
4 accompanied by any declarations or memoranda of law any requesting party wishes to present in support of
5 its position; if there is no timely objection to the requested relief or a request for hearing, the court may
6 enter an order granting relief by default.

7 In the event of a timely objection or request for hearing, (either): the initiating party will give at
8 least seven days written notice of the hearing to the objecting or requesting party, and to any trustee or
9 committee appointed in the case; or the tentative hearing date, location, and time are "n/a".

10 I declare under penalty of perjury that the foregoing is true and correct.

11 Date: July 22, 2019

/s/ Martha G. Bronitsky

Signature of Martha G. Bronitsky
Chapter 13 Standing Trustee

1 In re

2 Rhommel D Okialda
3 Rowena L Okialda

debtor(s)

Chapter 13 Case No. 18-42961-WJL13

4 CERTIFICATE OF SERVICE

5 I HEREBY CERTIFY that I have served a copy of the within and foregoing document on the
6 debtor (s), counsel for debtor (s), and if applicable, the creditor, creditor representatives and the
7 registered agent for the creditor by depositing it in the United States mail with first class
8 postage attached thereto.

9 I declare under penalty of perjury under the laws of the State of California that the foregoing is
10 true and correct.

11 Rhommel D Okialda
12 Rowena L Okialda
13 17166 Via Valencia
14 San Lorenzo,CA 94580

(Debtor(s))

Nathan D Borris Atty
1380 A Street
Hayward,CA 94541

(Counsel for Debtor)

15 Date: 7/22/2019

/s/ Vivalda Silveira

Vivalda Silveira